

**CALLED TO ORDER BY SUPERVISOR QUIGLEY, CHAIRMAN at 7:00 PM**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN JOEL B. BRINK  
TOWN COUNCILMAN ERIC KITCHEN  
TOWN COUNCILMAN JOHN MORROW  
TOWN COUNCILMAN ROCCO SECRETO  
SUPERVISOR JAMES QUIGLEY 3<sup>rd</sup>

**PUBLIC COMMENT**

Mr. Keven Smith - Board Chairman of the Woodstock Land Conservancy requested that the town do a full and complete comprehensive review and utilize the NY DEC and NYS DEP scope of the whole action of the proposed water bottling project.

Mr. Dennis Doyle, Ulster County Planner was in favor of the town including its neighbors in its planning process and asked the Town Board to work hard to ensure their concerns are addressed.

Mrs. Kate Hudson, Riverkeeper, expressed concern about the description of the SEQRA action that the town is addressing and felt it does not take the whole action (water from the City of Kingston drawing water from the Town of Woodstock) into account with the proposed bottling plant.

Mrs. Rebecca Martin, a representative of Kingston Citizens Org., is pleased that the Town is issuing a positive declaration SEQRA for the proposed bottling plant. She felt the application is incomplete and doesn't take into account the actions of the water coming from the City of Kingston and the Town of Woodstock. She requested that the Town Board, as lead agency, develop a written scope review to ensure significant topics have not been missed.

Jennifer Schwartz Berky expressed concern that the proposed bottling plant would bear a greater economic impact than benefit offered with all the PILOTs offered and the jobs being offered. She questioned the opportunity costs in allowing this manufacture into the area.

Rev. Betsy Stang, from the Wittenberg Center for Alternative Resources, expressed concern about the toxins that would be produced in the manufacturing process that would be discharged into the Esopus. She also expressed concern about the archeology and historical information being complied with and completed for all the affected sites for the bottle manufacture.

Mrs. Kitty McCullough requested that the Town Board review the economic factors of the proposed plant. She sited low paying jobs and that the new job growth is in small design manufacturing plants. She was not in favor of the proposed bottling plant.

Mrs. Rachel Marco-Havens, a representative form KingstonCitizens.org, requested that the City of Kingston and Woodstock be involved agencies in the declaration for the proposed bottling plant. She expressed concern about the project being sustainable for the area and asked the

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Town Board to find other environmental friendly projects to fill Tech City. She was not in favor of a plastic bottling plant being established in the area.

Robert Barton expressed concern about toxic chemicals being put into the air from the proposed bottling plant. He was concerned because the location is in the flood plain and that flood water would carry hazardous materials into the Esopus. He wanted to know the make-up of the plastic bottle because he was concerned that the plastic would be hazardous to people.

Donald Gregorius, UC Legislator, spoke in favor of the Town including the Town of Woodstock as an involved agency in the process involving the proposed water bottling plant.

Jeremy Wilber, Town of Woodstock Supervisor, spoke in favor of the Town including the Town of Woodstock as an involved agency.

Henrietta Wise was not in favor of the Town of Ulster being the lead agency for the proposed plastic bottling plant.

**APPROVAL OF MINUTES FROM PREVIOUS MEETINGS**

Councilman Morrow motioned to accept the minutes of the October 2, 2014 and October 16, 2014 meetings.

2<sup>nd</sup> by Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**COMMUNICATIONS**

Town Clerk Cosenza acknowledged receiving twelve letters of correspondence requesting that the Town declare a positive SEQRA Declaration for the proposed bottling plant.

Peggy King – A letter was received thanking the Highway Department for their work outside around the Town Hall.

**ABSTRACT OF CLAIMS**

Councilman Secreto motioned to approve the 2014 November abstract as submitted

2<sup>nd</sup> by Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |



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CARRIED

**BUDGET MODIFICATIONS**

**General Fund:**

|   |          |
|---|----------|
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) electric at Orlando St. Ballfield  | 404.50   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Softball League) electric at Orlando St. Ballfield  | 92.50    |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Oct. refereeing fees-Kevin Barry, John Lentz and Gerald Pinzon                 | 225.00   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Oct. Tiny Mite refereeing fees-John Lentz, Jack Maltier, and Michael Pantaline | 150.00   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Oct. mileage reimb.-Greg Maisch  | 112.00   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Brax Fundraising - Brax Cups   | 1,456.86 |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Kingston American LL - Popwarner function at Post Park                         | 129.12   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Oct.Tiny Mite refereeing fees-Bill Ott and Brian Franciola                     | 100.00   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Oct. Mitey Mite refereeing fees-Michael Rassin and Edward Pomerantz            | 120.00   |
| Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Fund Bal.-Football League) Mitey & Tiny Mite bowling games-Mid Hudson Conference                          | 435.00   |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Oper.Funds)  | 9,714.92 |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420 (Gas & Oil) Sept. Gas Reimb. (Ulster Hose #5)  | 68.91    |

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|   |           |
|---|-----------|
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420<br>(Gas & Oil) Sept. Gas Reimb. (Ruby Fire Dept.)  | 142.02    |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420<br>(Gas & Oil) Aug. Gas Reimb. (Town of Kingston Hwy. Dept.)                                   | 498.48    |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420<br>(Gas & Oil) Sept. Gas Reimb. (Town of Kingston Hwy. Dept.)                                  | 579.30    |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420<br>(Gas & Oil) Aug. Gas Reimb. (E.Kng.Vol.Fire Co.)  | 302.49    |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5110.420<br>(Gas & Oil) Sept. Gas Reimb. (E.Kng.Vol.Fire Co.)   | 315.06    |
| Modify Revenue D1289 (Oth.Dept.Income) and Appropriation D5142.420<br>(Gas & Oil) Oct. Gas Reimb. (Ulster Hose #5)  | 98.33     |
| Modify Appropriation D5130.200 (Equipment) to be funded through<br>D5110 (Approp.Rsrv-Equip.) toward purchase of Viking/Cives Body/Plow<br>package from T&T Sales | 21,804.60 |

**HIGHWAY:**

| Transfer From          | Transfer To              |          |
|------------------------|--------------------------|----------|
| D5110.200 Computer     | D5130.427 Tires          | 1,700.00 |
| D5110.200 Computer     | D5130.428 Solvents       | 1,000.00 |
| D5110.413 Equip.Rental | D5110.400 Street Program | 3,500.00 |
| D5110.442 Road Oil     | D5130.491 Parts          | 5,000.00 |
| D5110.433 Culverts     | D5142.448 Cold Patch     | 1,000.00 |
| D5110.443 Culverts     | D5130.422 Equip.Maint.   | 3,000.00 |
| D5130.490 Tools        | D5130.491 Parts          | 1,200.00 |
| D5110.413 Equip.Rental | D5130.491 Parts          | 1,000.00 |

**GENERAL FUND:**

| Transfer From                     | Transfer To                  |           |
|-----------------------------------|------------------------------|-----------|
| A1320.400 Computer & Suppl.       | A1345.400 Meetings & Instrs. | 1,400.00  |
| A1410.101 Deputy Clerks Wages     | A1410.400 Computer Expns.    | 400.00    |
| A1410.101 Deputy Clerks Wages     | A1410.420 Mileage            | 400.00    |
| A1410.101 Deputy Clerks Wages     | A1620.454 Maint.             | 6,000.00  |
| A1990.400 Contingency             | A1920.400 Dues               | 100.00    |
| A7110.101 Park Attend. Wages      | A5132.406 Telephone          | 1,900.00  |
| A7110.101 Park Attend. Wages      | A5132.407 Electric           | 6,000.00  |
| A7110.427 Handicap Fish. Platform | A7110.426 Rep,Constr.        | 1,000.00  |
| A8160.100 Recycling Wages         | A8160.401 Dumping Costs      | 13,000.00 |
| A8160.430 Uniform Rntl & Clean.   | A8160.401 Dumping Costs      | 900.00    |

**SPRING LK WATER:**

| Transfer From              | Transfer To              |        |
|----------------------------|--------------------------|--------|
| SW3.8310.403 Office Suppl. | SW3.8310.404 Postage     | 75.00  |
| SW3.8320.409 Rep.&Suppls.  | SW3.8330.401 Lab Testing | 100.00 |



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**BRIGHT ACRES WTR:**

|                            |                      |       |
|----------------------------|----------------------|-------|
| <b>Transfer From</b>       | <b>Transfer To</b>   |       |
| SW4.8310.403 Office Suppl. | SW4.8310.404 Postage | 10.00 |

**CHERRY HILL WTR:**

|                            |                      |       |
|----------------------------|----------------------|-------|
| <b>Transfer From</b>       | <b>Transfer To</b>   |       |
| SW5.8310.403 Office Suppl. | SW5.8310.404 Postage | 90.00 |

**GLENERIE WATER:**

|                             |                      |        |
|-----------------------------|----------------------|--------|
| <b>Transfer From</b>        | <b>Transfer To</b>   |        |
| SW6.1910.400 Unalloc.Insur. | SW6.8310.404 Postage | 102.00 |

**EAST KNG.WATER:**

|                            |                      |       |
|----------------------------|----------------------|-------|
| <b>Transfer From</b>       | <b>Transfer To</b>   |       |
| SW7.8310.403 Office Suppl. | SW7.8310.404 Postage | 65.00 |

**WHITTIER SEWER:**

|                           |                           |        |
|---------------------------|---------------------------|--------|
| <b>Transfer From</b>      | <b>Transfer To</b>        |        |
| SS1.8130.409 Rep.&Suppls. | SS1.8130.422 Equip.Maint. | 500.00 |

**ULSTER SEWER:**

|                              |                        |          |
|------------------------------|------------------------|----------|
| <b>Transfer From</b>         | <b>Transfer To</b>     |          |
| SS2.1910.400 Unalloc. Insur. | SS2.9710.700 Bond/Int. | 2,111.00 |

**WASH.AVE.SEWER:**

|                             |                               |        |
|-----------------------------|-------------------------------|--------|
| <b>Transfer From</b>        | <b>Transfer To</b>            |        |
| SS3.1910.400 Unalloc.Insur. | SS3.8130.455 Sewer Rents-Kng. | 257.00 |
| SS3.1990.400 Contingency    | SS3.8130.455 Sewer Rents-Kng. | 500.00 |
| SS3.8110.438 Engineering    | SS3.8130.455 Sewer Rents-Kng. | 500.00 |

MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

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MOTION: Councilman Secreto  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to authorize Brinnier & Larios to proceed with design and engineering of a proposed Parking Lot for the Kingston Rail Trail at Route 32 and Rockwell Lane at a cost not to exceed \$5,000**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to Set a Public Hearing for Local Law of 2014, -Setting of Town Fees for December 4, 2014 at 7:10 pm**

MOTION: Councilman Secreto  
SECOND: Councilman Morrow

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to authorize the Town of Ulster Water Dept. to purchase from Van Bortel Ford under the County of Onondaga Bid 7974 one F-350 Chassie and Reading Service Body at an amount not to exceed \$39,901.00**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen



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|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to authorize the Town of Ulster Police Dept. to purchase from Beyer Ford under the Monroe County Bid 707-13 one 2014 Police Utility Interceptor AWD at a price not to exceed \$39,925.00**

MOTION: Councilman Kitchen  
SECOND: Councilman Brink

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to accept the resignation of PO Albin effective November 9, 2014 in Good Standing**

MOTION: Councilman Brink  
SECOND: Councilman Morrow

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to accept the resignation of PO James P. Roosa III effective December 7, 2014 in Good Standing**

MOTION: Councilman Brink  
SECOND: Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |

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Supervisor Quigley - Aye

CARRIED

**Discussion on the American Red Cross's inquiry on using the Brott Senior Center as a shelter in a time of disaster**

The Town Board discussed the matter with concerns about the lack of backup power or showering facility.

**Motion to appoint Councilman Morrow, as Chairman of the Buildings and Grounds Committee, to talk to the American Red Cross to address the shortcomings of the Senior Center as an Emergency Shelter and having the issues addressed.**

MOTION: Councilman Kitchen

SECOND: Councilman Brink

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to authorize the Building Inspector to attend a two-day conference December 3-4<sup>th</sup> by NYSBOC- Tri County Chapter**

MOTION: Councilman Kitchen

SECOND: Councilman Brink

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to hire Taylor Glass as a Part-time Seasonal Clerk for the Assessor's Office at a rate of pay of \$11.50 effective December 1, 2014 to January 15, 2015**

MOTION: Councilman Morrow

SECOND: Councilman Secreto

|                       |       |
|-----------------------|-------|
| Town Councilman Brink | - Aye |
|-----------------------|-------|



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|                         |       |
|-------------------------|-------|
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Motion to adopt Town of Ulster 2015 Budget**

MOTION: Councilman Morrow  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Update of Board on O&W Rail Trail Association -Secreto/ Morrow**

Councilman Secreto reported that he and Councilman Morrow attended a meeting that discussed fees and logos.

**Presentation and Acceptance of the Town Clerk's Monthly Report for the months of September-October 2014**

MOTION: Councilman Brink  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Resolution on a one year extension of the site plan approval for Ulster 9W Holdings LLC, 1680-1694 Ulster Ave & 1670 – 1678 Ulster Ave. SBL 39.082-2-3.2, 39.082-2-3.3 and 39.082-2-3.4**

WHEREAS, on February 5, 2007, the Ulster Town Board approved the application by Quick Chek Corporation for the development of approximately 7.5 acres, comprising SBL 39.082-2-3.2, 39.082-2-3.3, & 39.082-2-3.4; and

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WHEREAS, pursuant to the resolution of the Town Board dated February 5, 2007, site development plan approval would expire on February 5, 2012 if the approved improvements were not completed and a Certificate of Occupancy was not issued by said date; and

WHEREAS, by resolution dated July 7, 2011, the site development plan approval heretofore granted on February 5, 2007 was amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2015; and

WHEREAS, building permits for the retail lot and the bank lot have been issued by the Town of Ulster Building Department, but Certificates of Occupancy are not expected to be obtained before February 5, 2015; and

WHEREAS, Ulster 9W Holdings LLC is requesting a one (1) year extension of the site plan approval; and

WHEREAS, the Ulster Town Board has determined it is in the best interest of the Town of Ulster to extend the site plan approvals; and

WHEREAS, Ulster Town Code Section 145-14 grants the Town Board the power to vary or waive the provisions of Chapter 145, where, in its judgment, the circumstances justify such variance or waiver upon such terms and conditions as it may deem appropriate provided that such variation and/or waiver promotes the health or general welfare and orderly growth; now therefore, be it

RESOLVED, that the site plan approval heretofore granted on February 5, 2007, shall be amended as follows: the approval granted by the Town Board on February 5, 2007 shall be deemed to have expired unless the approved improvements are completed and a Certificate of Occupancy is obtained no later than February 5, 2016; and be it further

RESOLVED, that this resolution shall take effect upon payment by Ulster 9W Holdings LLC of any applicable extension fees.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Resolution granting site plan Amendment Approval for MHMG-KM Kingston, LLC –**



**Bank Retail Building, 1571 Ulster Ave, Lake Katrine SBL 39.82-2-7.116**

Site Plan Amendment Approval

MHMG – KM Kingston, LLC – Bank/Retail/Restaurant Building  
Section-Block-Lot: 39.82-2-7.116

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water and Sewer Departments have reviewed an application by MHMG – KM Kingston, LLC – seeking Site Plan Amendment approval to develop 11,710 square-foot retail/bank/restaurant building on Outparcel No. 6 that was reserved for such use on the Overall Master Site Development Plan, which was approved by the Town Board in 2012; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board upon recommend from the Town of Ulster Planning Board since the Proposed Action involves more than 2,500 sf of new building area; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

Cover Letter by Larry Boudreau, RLA, Chazen Engineering & Surveying, P.C, dated 10/9/2014;  
Site Plan Consent Form by Jeff Kane agent for 1561 Ulster Properties, LLC dated 10/9/2014;  
Site Plan Application by Jeff Kane agent for 1561 Ulster Properties, LLC dated 10/9/2014;  
Floor Plan and Building Elevations by Syvertsen-Rigosu, Architects, PLLC dated 10/8/2014;  
Title Sheet prepared by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Overall Master Site Development Plan by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Demolition Plan prepared by Chazen Engineering & Surveying, P.C, dated 10/9/2014;  
Site Plan prepared by Chazen Engineering & Surveying, P.C, dated 10/9/2014;  
Grading, Drainage and E&SC Plan by Chazen Engineering & Surveying, P.C, dated 10/9/2014;  
MSM Utility Plan by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Landscaping Plan and Details by Chazen Engineering & Surveying, P.C, dated 10/9/2014;  
Lighting Plan by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Site Details prepared by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Sanitary Sewer System Details prepared by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Water System Details prepared by Chazen Engineering & Surveying, P.C, dated 10/8/2014;  
Erosion & Sediment Control Details by Chazen Engineering & Surveying, P.C, dated 10/8/2014; and  
Stormwater Details prepared by Chazen Engineering & Surveying, P.C, dated 10/8/2014.  
Cover Letter by Larry Boudreau, RLA, Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Title Sheet prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Overall Master Site Development Plan by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Demolition Plan prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Site Plan prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Grading, Drainage and E&SC Plan by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Utility Plan by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Landscaping Plan by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Lighting Plan by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Site Details prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Sanitary Sewer System Details prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Water System Details prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Erosion & Sediment Control Details by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Stormwater Details prepared by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Landscaping Details and Notes by Chazen Engineering & Surveying, P.C, dated 11/5/2014;  
Floor Plan and Building Elevations by Syvertsen-Rigosu, Architects, PLLC dated 10/8/2014; and



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Allowable Sign Plan by Syvertsen-Rigosu, Architects, PLLC dated 11/12/2014; and  
Signage Plan prepared by Chazen Engineering & Surveying, P.C, dated 4/22/13.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law by the Town of Ulster Planning Board and written comments from the UCPB were received that concluded the matter was one for local determination; and

WHEREAS, the Town of Ulster Town Board has reviewed its original SEQR Negative Declaration statement along with a recommendation from its Planning Board and comments of the its consulting planner and engineers, along with the comments of its Water and Sewer Departments and finds the Current Proposed Action would not pose any potentially significant environmental impacts based upon detailed studies provided and the mitigation measures being employed in the design of the proposed site plan amendments; and

WHEREAS, the Town of Ulster Town Board finds the Current Proposed Action does not exceed any of the thresholds established under the original SEQR Negative Declaration, thus no further SEQR review is required; and

WHEREAS, has received a recommendation by the Town Planning Board to reaffirm its SEQR Neg. Dec. and grant Site Plan Amendment approval for this Proposed Action; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board hereby reaffirms its SEQR Determination of Non-Significance (Negative Declaration) on the Overall Site Development Master Plan; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Site Plan Amendment approval to MHMG – KM Kingston, LLC for the actions described above and shown on the most recent amended Site Plan set subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. There are no required modifications to the SWPPP by the Town's consulting engineers Brinnier & Larios, which would be unacceptable to the applicant and thereby require the applicant to reappear before the Town of Ulster Planning Board.
5. There are no required modifications to the grease trap design by the Town's consulting engineers Brinnier & Larios and the Town Sewer Superintendent, which would be unacceptable to the applicant and thereby require the applicant to reappear before the Town of Ulster Planning Board.



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6. The Town's consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
7. All fees, including consultant fees, shall be paid.

MOTION: Councilman Brink  
SECOND: Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Resolution to include the City of Kingston and Town of Woodstock as "Involved Agencies" with respect to an action proposed by Enterprise Properties LLC to construct a water bottling facility at SBL: 48.7-1-29.2**

BE IT RESOLVED, that the Town Board of the Town of Ulster include the City of Kingston and the Town of Woodstock as "involved agencies" with respect to an action proposed by Enterprise Properties LLC to construct a water bottling facility at SBL: 48.7-1-29.2.

MOTION: Councilman Brink  
SECOND: Councilman Kitchen

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Nay |
| Town Councilman Kitchen | - Nay |
| Town Councilman Morrow  | - Nay |
| Town Councilman Secreto | - Nay |
| Supervisor Quigley      | - Nay |

MOTION FAILED

**Resolution of the Town Board of the Town of Ulster declaring itself Lead Agency with respect to an action proposed by Enterprise Properties, LLC to construct a water bottling facility SBL 48.7-1-29.2**

WHEREAS, the applicant, Enterprise Properties, LLC, has requested the Town Board consider an application for site plan approval for the development of a 414,800 square-foot (sf) building with 29 tractor trailer loading docks, 98 tractor trailer parking spaces and 160 off-street parking spaces on a 57.50-acre site (SBL 48.7-1-29.2) served by municipal water and municipal sewer; and

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WHEREAS, the proposed manufacturing use (i.e. the water bottling facility) is permitted as-of-right within the OM-Office Manufacturing Zoning District, in accordance with the standards set forth in §190-69 Table of Uses of the Town of Ulster Town Code; and

WHEREAS, on September 18, 2014 and October 16, 2014, the Town Board indicated its intent to declare itself lead agency with respect to the proposed action; and

WHEREAS, notices of the Town Board's intent to declare itself lead agency were sent to all involved and interested agencies as required by the Environmental Conservation Law of the State of New York; and

WHEREAS, no involved agency has objected to the Town Board declaring itself lead agency with respect to the proposed action;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ulster hereby declares itself lead agency for the purposes of conducting the review and making such determinations as are necessary with respect to the proposed action as required by Article 8 of the New York Environmental Conservation Law (State Environmental Quality Review Act) and the regulations promulgated thereunder.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to distribute notice of the adoption of this resolution as required by the Article 8 of the New York Environmental Conservation Law (State Environmental Quality Review Act) and the regulations promulgated thereunder.

MOTION: Councilman Morrow  
SECOND: Councilman Brink

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**Resolution declaring Positive SEQR Declaration –Niagara Bottling Facility, SBL 48.7-1-29.2**

WHEREAS, the applicant, Enterprise Properties, LLC, has requested the Town Board consider an application for site plan approval for the development of a 414,800 square-foot (sf) building with 29 tractor trailer loading docks, 98 tractor trailer parking spaces and 160 off-street parking spaces on a 57.50-acre site (SBL 48.7-1-29.2) served by municipal water and municipal sewer; and



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WHEREAS, the proposed manufacturing use (i.e. the water bottling facility) is permitted *as-of-right* within the OM-Office Manufacturing Zoning District, in accordance with the standards set forth in §190-69 Table of Uses of the Town of Ulster Town Code; and

WHEREAS, by resolutions adopted September 18, 2014 and October 16, 2014, the Town Board determined that the Proposed Action is subject to the State Environmental Quality Review Act under the N.Y.S. Environmental Conservation Law, Article 8 (“SEQRA”), preliminarily classified the Proposed Action as a Type 1 action under SEQRA, and declared its intention to act as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA (“Lead Agency”); and

WHEREAS, notices of the Town Board’s intent to declare itself lead agency were sent to all involved and interested agencies as required by the Environmental Conservation Law of the State of New York; and

WHEREAS, none of the other involved agencies or applicant, as sponsor of the Proposed Action, requested the New York State Commissioner of Environmental Conservation to designate a Lead Agency and by resolution adopted November 20, 2014, the Town Board declared that it had been established as Lead Agency for the purpose of reviewing the environmental impacts of the Proposed Action under SEQRA; and

WHEREAS, the Town Board has reviewed the attached Full Environmental Assessment Form, prepared on the Proposed Action on behalf of applicant with supplemental materials contained in the “Revised and Expanded Environmental Assessment Form,” and the Full Environmental Assessment Form, Part 2, prepared on the Proposed Action on behalf of the Town Board by the Town Planner; and

WHEREAS, the Town Board has concluded that the Proposed Action may have a significant impact on the environment if it is approved and built; and

WHEREAS, the Town Board has reviewed the attached draft Positive Declaration prepared on the Proposed Action on behalf of the Town Board by the Town Planner;

NOW THEREFORE, be it

RESOLVED, that the Town Board adopts the contents of the Full Environmental Assessment Form, Part 2; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to complete and sign the Determination of Significance on the Full Environmental Assessment Form declaring as set forth therein that the Proposed Action “may result in one or more large impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared”; and be it



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FURTHER RESOLVED, that the Town Board adopts the contents and conclusions set forth in the attached draft Positive Declaration regarding the potential environmental impacts if the Proposed Action is approved and built; and be it

FURTHER RESOLVED, that the Town Supervisor is authorized to file the Positive Declaration as adopted aforesaid with the agencies named in the Positive Declaration and otherwise in accordance with applicable law; and be it

FURTHER RESOLVED, that scoping shall be conducted in accordance with N.Y.S. Department of Environmental Conservation Rule 617.8 (6 NYCRR §617.8) based on a draft Scoping Document to be prepared and provided to the Town of Ulster by the applicant within thirty (30) days.

MOTION: Councilman Morrow  
SECOND: Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

**PUBLIC COMMENT**

Mr. Robert Barton asked that the Town Board carefully review and double check what the proposed bottling plant is stating to ensure that public health isn't affected and that there are no economic impacts to the township.

Jeremy Wilber, Town of Woodstock Supervisor, stated he was disappointed in the town not including the Town of Woodstock or the City of Kingston in the process for the proposed bottling plant. He felt the application was incomplete and absent of some information.

Mrs. Rachel Marco-Havens, inquired why the Town didn't include the Town of Woodstock or City of Kingston.

Supervisor Quigley stated that they had a letter from the City of Kingston Corporation Counsel stating they had no legal standing. A conversation also had occurred between the Towns of Ulster and Woodstock and it resulted in the same answer.

Donald Gregorius, UC Legislator, expressed disappointment in the Town abiding by legal counsel and asked the town board to further review including the affected municipalities.

Jennifer Schwartz Berky, KingstonCitizens.org, felt that the other municipalities have a right to be involved in the process of the proposed water bottling plant due to the complete scope of the action that the law doesn't reflect.

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Kevin Smith, Chairman of the Woodstock Land Conservancy, reported that a “CD Smith” report has been delayed and he felt that it was import for the Town to have this as lead agency and to include it in their scoping process for the proposed bottling plant. He expressed concern about the action being a segmented action.

Rebecca Martin, KingstonCitizens.org, argued points that reflect that the City of Kingston should be included as an involved agency in the proposed water bottling plant.

Mr. Mike Berardi stated his confidence in the Town Board to make the right decisions with the proposed water bottling plant.

Councilman Morrow moved to adjourn the meeting at 8:24 PM  
2<sup>nd</sup> by Councilman Secreto

|                         |       |
|-------------------------|-------|
| Town Councilman Brink   | - Aye |
| Town Councilman Kitchen | - Aye |
| Town Councilman Morrow  | - Aye |
| Town Councilman Secreto | - Aye |
| Supervisor Quigley      | - Aye |

CARRIED

Respectfully Submitted by  
Jason Cosenza, RMC FHCO  
Ulster Town Clerk